UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,983	03/24/2004	Chieko Asakawa	JP920030045US1	4455

54856	7590	09/21/2006		

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EXAMINER
SAIN, GAUTAM

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 09/21/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/807,983	ASAKAWA ET AL.
	Examiner	Art Unit	
	Gautam Sain	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>07 July 2006</u>.

2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-20</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-20</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>7/2006</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1)   This is a Final rejection in response to claims and remarks filed 7/7/2006.

2)   Claims 1-20 are pending and rejected.

3)   Effective filing date: 3/28/03.

Claim Rejections - 35 USC § 103

4)   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.   .

4-1)   Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Orr et al (US 5895476, issued Apr 20, 1999).

Regarding claims 1, 6, 8 and 12, Orr suggests means for selecting the display

elements based ... exceed a required display area.   The examiner characterizes the

applicant's invention as a means for creating a digest, in which a document, the layout

of which is predetermined by a creator, is transformed to make certain that the

transformed document is fitted within a display area required by a reader, where the

layout of the document (which can be a web page) is predetermined by the creator and

then is transformed to fit within the display area by the reader, where the display content

of the digest screen be changed in response to the operation of the user, a browsing

environment capable of sensitively coping with a user's wish (see Applicant's

specification, pages 5-6, summary of the invention section).   For example, Orr

discloses a design for automatic reformatting for design and media, which fits content to

media, where new content is added to the composition (ie., a newsletter), content is

readjusted in order to make the information fit within the desired media (col 39, lines 35-

67) based on a priority from the priority list (col 35, lines 21-25), represented in the

selected media (ie., printed page, screen, HTML, etc) and position text and graphics,

change type specifications, jump stories and make other needed adjustments to the

layout to make it automatically fit to make the design look good (col 5, lines 57 – col 6,

line 8).

Orr does not expressly teach merging relationship among regions ... included in

the document, but with Orr's teachings, it would have been obvious to one of ordinary

skill in the art. For example, Orr discloses components being placed in a location that

overlaps within the region occupied by the parent component, yet in a different

orientation (col 30, line 60 – col 31, line 5). Orr's overlapping disclosure is similar to the

instant application's functionality of the "means" of merging regions. Orr describes a

media tree with text areas and image areas, which are the media regions as

components of the page (col 28, line 40 – col 29, line 15) where the child component is

placed in a location that overlaps the region occupied by the parent component (col 30,

line 59 – col 31, line 4). Orr's disclosure reformats a page to fit into various media,

while maintaining all of the substantive layout out of the components. This disclosure is

functionally equivalent to the desired goals of the current application (as characterized

by examiner above).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to interpret Orr to include placing components in a location that overlaps within

the region occupied by the parent, yet in a different orientations as equivalent as taught by Orr to a merging relationship, providing the benefit of having the user author a document once and then having a system to adapt the document automatically for changes in the design or output media while maintaining the relationships between content elements of the document (col 2, lines 43-47).

Regarding claims 2, 9, 13 and 20, Orr suggests means for deciding ... displayed regions is required. For example, when a child component is being placed at a distance from the region occupied by the parent components, a decision has to be made such as left-hand side or a right-hand side of the region to display the component (col 30, line 60 – col 31, line 4).

Regarding 3, 10 and 14, Orr suggests means for creating control ... required display area. For example, most media is limited and adjustment may be needed to make the media fit 'within' the media (col 39, lines 35-45). The concept of 'within' suggest that more content of media exists that there is space allocated for it, which is equivalent to the claim language 'too large to fit in the required display area'.

Regarding claims 4, 11 and 15, Orr teaches means for deciding the display ... operation of a user. For example, a user authors a document, thereafter the document reformatting is automatic, upon initiation by the author (col 2, lines 43-47).

Regarding claim 5, Orr suggests changing means ... operation of a user. For example, a user authors a document, thereafter the document reformatting is automatic, upon initiation by the author (col 2, lines 43-47).

Regarding claim 7, Orr suggests means for arraying ... predetermined criterion; means

for obtaining a ratio ... length of the region; and means for dividing ... of the display

elements. Based on the broadest reasonable interpretation of the claim, the Examiner

interprets the concept of the claim as equivalent to performing calculations on the

displayed elements and whitespace, in order to provide an interface that is optimally fit

for the display region while maintaining referential integrity. Although Orr does not use

the express language of the claim such as 'arrayed display elements', Orr does suggest

the conceptual quest of the claim language when viewed with the broadest reasonable

interpretation under the specification. For example, based on the fixed properties, the

image will adjust itself in order to fit in a particular region and will keep its aspect ratio

and will automatically adjust its height in order to fit the region taking in consideration a

user specification (col 43, lines 4-14). Additionally, Orr does expressly disclose content

scale factors for scaling content either up or down in order to assist in fitting all of the

content into the available media, including a white space scale factor (col 40, lines 26-

48).

Regarding claims 16, 17, 18 and 19, Orr teaches A computer program product ...

causing a computer to effect the functions of claim ... Orr discloses processing of data

by a computer system to automatic formatting of information for a change in design or a

medium with persistent storage (col 1, lines 5-9; col 9, lines 58-65).

Response to Arguments

Applicant's arguments filed 8/31/2006 have been fully considered but they are not persuasive.

Regarding claims 1-19, Applicant argues against the use of the Orr reference. Specifically argues that Orr is not concerned with digest screen display content deciding means to select display elements belonging to respective regions of a document based on display priorities of the display elements (Remarks, page 9). Applicant argues that there is no inventive commonality between Orr and claims 1-20 (Remarks, page 12). Applicant argues that Orr has no relation to the means for creating control information for controlling a display of the detail screen, wherein the means for deciding the display content of the detail screen creates a digest of the detail screen on the control information when the region group is too large to fit in the required display area (Remarks, page 14, bottom). The examiner disagrees. First, the examiner characterizes the applicant's invention as a means for creating a digest, in which a document, the layout of which is predetermined by a creator, is transformed to make certain that the transformed document is fitted within a display area required by a reader, where the layout of the document (which can be a web page) is predetermined by the creator and then is transformed to fit within the display area by the reader, where the display content of the digest screen be changed in response to the operation of the user, a browsing environment capable of sensitively coping with a user's wish (see Applicant's specification, pages 5-6, summary of the invention section). Accordingly,

the Orr reference discloses the applicant's invention. Orr discloses a design engine for automatic reformatting for design and media that will automatically fit content to the selected design (ie., a newsletter) represented in the selected media (ie., printed page, screen, HTML, etc) and position text and graphics, change type specifications, jump stories and make other needed adjustments to the layout to make it automatically fit to make the design look good (col 5, lines 57 – col 6, line 8). Orr's disclosure reformats a page to fit into various media, while maintaining all of the substantive layout out of the components. This disclosure is functionally equivalent to the desired goals of the current application (as characterized by examiner above).

Applicant argues that Orr's teaching of the placement of overlap is not related to the regions in claims 1-20 (Remarks, page 12). The examiner disagrees. Orr's overlapping disclosure is similar to the instant application's functionality of the "means" of merging regions. Orr describes a media tree with text areas and image areas, which are the media regions as components of the page (col 28, line 40 – col 29, line 15) where the child component is placed in a location that overlaps the region occupied by the parent component (col 30, line 59 – col 31, line 4). The examiner characterizes Orr's media divisions as regions, which are automatically adjusted or reformatted to fit the content to the media (col 32, lines 40-44). This disclosure is equivalent to the description of regions in the applicant's specification.

Additionally, applicant claims the means for selecting and means for setting a merging relationship (see claim 1). Orr teaches these means, like automatically adjusted or reformatted to fit the content to the media (col 32, lines 40-44) provides the

automatic means for selecting and deciding how to adjust the content to a particular

media and performing the necessary changes and reformatting to the layout of the

content to make it fit. For the means for merging, Orr describes a media tree with text

areas and image areas, which are the media regions as components of the page (col

28, line 40 – col 29, line 15) where the child component is placed in a location that

overlaps the region occupied by the parent component (col 30, line 59 – col 31, line 4).

The tree provides a relationship that allows for future overlap or manipulation of child

and parent components in order to fit content according to a layout option. This

disclosure is equivalent to the description of regions in the applicant's specification.

Applicant argues against the obviousness statement in relying on Orr for

claims 1-19 (page 13, top – page 16) and claims 2, 9 and 13 because the applicant

argues that Orr is not related to the present claimed invention. The examiner

disagrees. Orr reference discloses the applicant's invention. Orr discloses a design

engine for automatic reformatting for design and media that will automatically fit content

to the selected design (ie., a newsletter) represented in the selected media (ie., printed

page, screen, HTML, etc) and position text and graphics, change type specifications,

jump stories and make other needed adjustments to the layout to make it automatically

fit to make the design look good (col 5, lines 57 – col 6, line 8). This disclosure is

functionally equivalent to the desired goals of the current application (as characterized

by examiner above).

Applicant argues that Orr does not do the functions of the means for selecting and/or setting and/or deciding of claims 1-20 (page 14, top). The examiner disagrees, the applicant claims the means for selecting and means for setting a merging relationship (see claim 1). Orr teaches these means, like automatically adjusted or reformatted to fit the content to the media (col 32, lines 40-44) provides the automatic means for selecting and deciding how to adjust the content to a particular media and performing the necessary changes and reformatting to the layout of the content to make it fit. For the means for merging, Orr describes a media tree with text areas and image areas, which are the media regions as components of the page (col 28, line 40 – col 29, line 15) where the child component is placed in a location that overlaps the region occupied by the parent component (col 30, line 59 – col 31, line 4). The tree provides a relationship that allows for future overlap or manipulation of child and parent components in order to fit content according to a layout option. This disclosure is equivalent to the description of regions in the applicant's specification.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Gautam Sain whose telephone number is 571-272-

4096. The examiner can normally be reached on M-F 9-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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published applications may be obtained from either Private PAIR or Public PAIR.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

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GS

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